IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9816 OF 2004

The New India Assurance Co. Ltd. ...Petitioner

Versus

Smt. Laxmi Vasant Ghadge & Ors. ...Respondents

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Ms. Maya Sadhwani, counsel for Petitioner

Mr. Padmanath Pise, counsel for Respondent 1 to 3.

Ms. Archana Kolgi, counsel for respondent No.4.

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CORAM: B. H. MARLAPALLE, J.

DATED: 2ND MARCH, 2005

P. C.:-

1. Heard Ms. Sadhwani, the learned counsel for the petitioner and Mr. Pise, the learned counsel for respondent Nos. 1 to 3.

2. The petitioner Insurance Company has compromised the claim which is the subject matter of this petition, with the original claimants i.e. respondent Nos. 1 to 4 and as per the said compromise, in addition to the amount of Rs.50,000/- received by the claimants by way of no fault liability, an additional amount of Rs.2,00,000/- has to be paid to the claimants. This amount has already been deposited in the M.A.C.T. at Pune and the

learned counsel for both the parties stated that the said amount could be disbursed to the present respondent Nos. 2 and 3 by drawing the cheques with equal amount in their respective names.

3. The consent terms have been verified by the respective parties and the same is marked as "X" for identification.

4. The petition is disposed of in terms of the consent terms and the Motor Accident Claims Tribunal at Pune is directed to disburse the amount of Rs.2,00,000/- (Rupees Two lakhs only) with interest if accrued, by drawing cheques in the names of respondent Nos. 2 and 3 i.e. Krishna Vasant Ghadge and Rukmini Vasant Ghadge with equal amount.

5. Writ to go forthwith.